

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Facebook, Inc.,

NO. C 08-05780 JW

Plaintiff,

**ORDER GRANTING MOTION TO
ENLARGE TIME**

v.

Power Ventures, Inc., et al.,

Defendants.

Presently before the Court is Plaintiff's Second Motion to Enlarge Time.¹ Plaintiff moves the Court to modify the Case Management Schedule and continue the hearing on Defendants' Motion for Summary Judgment, along with all related deadlines, by 60 days on the ground that Defendant Power Ventures did not provide Plaintiff with any source code for six weeks after the Court's previous Order Enlarging Time, and at that time produced only incomplete portions of the source code. (Motion at 4-5.) Defendant Power Ventures responds that it has expressed a willingness to continue working with Plaintiff to provide whatever additional portions of the code Plaintiff requires, and that receipt of most of the code on August 25, 2011 left Plaintiff with sufficient time to prepare its opposition to Defendants' Motion for Summary Judgment under the current deadlines.²

¹ (Plaintiff Facebook Inc.'s Second Motion to Enlarge Time Pursuant to Civil Local Rule 6-3 and 16-12, hereafter, "Motion," Docket Item No. 132.)

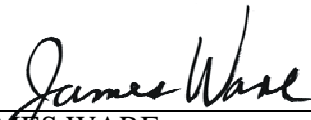
² (Defendants' Memorandum of Points and Authorities in Opposition to Facebook Inc.'s Second Motion to Enlarge Time Pursuant to Civil Local Rule 6-3 and 16-12 at 1-4, Docket Item No. 133.)

1 The Civil Local Rules provide: "After receiving a motion to enlarge or shorten time and any
2 opposition, the Judge may grant, deny, modify the requested time change or schedule the matter for
3 additional briefing or a hearing." See Civ. L.R. 6-3(d).

4 Upon review, the Court finds good cause to grant Plaintiff's Motion because Defendants do
5 not dispute that they did not produce the source code until late August. Given the late disclosure,
6 the Court finds that it is reasonable to extend the case schedule to allow all parties sufficient time to
7 respond to the pending Motion. Accordingly, the Court GRANTS Plaintiff's Motion to Enlarge
8 Time and orders as follows:

- 9 (1) All discovery in this case will close on **January 20, 2012**.
- 10 (2) The last date for hearing dispositive motions shall be **March 19, 2012**.
- 11 (3) The October 31, 2011 hearing on Defendants' Motion for Summary Judgment is
12 CONTINUED to **December 12, 2011**.
- 13 (4) On or before **November 4, 2011**, Plaintiff shall file its Opposition to Defendants'
14 Motion for Summary Judgment.
- 15 (5) On or before **November 11, 2011**, Defendants shall file their Reply.

16
17
18 Dated: September 9, 2011



JAMES WARE
United States District Chief Judge

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

Alan R Plutzik aplutzik@bramsonplutzik.com
Cindy Ann Cohn cindy@eff.org
David P. Chiappetta david.chiappetta@corrs.com.au
Indra Neel Chatterjee nchatterjee@orrick.com
Joseph Perry Cutler Jcutler@perkinscoie.com
Lawrence Timothy Fisher ltfisher@bursor.com
Morvarid Metanat mmetanat@orrick.com
Sarah Nicole Westcot swestcot@bursor.com
Scott A. Bursor scott@bursor.com
Theresa Ann Sutton tsutton@orrick.com

Dated: September 9, 2011

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Susan Imbriani
Courtroom Deputy